

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Darrell D.H.,

Plaintiff,

v.

Case No. 2:21-cv-4114

Commissioner of
Social Security,

Judge James L. Graham

Defendant.

Magistrate Judge
Elizabeth A. Preston Deavers

ORDER

This matter is before the Court for consideration of the May 17, 2022, Report and Recommendation of Magistrate Judge Deavers (ECF No. 14) to whom this case was referred pursuant to 28 U.S.C. §636(b). Magistrate Judge Deavers concluded that substantial evidence does not support the Administrative Law Judge's decision denying benefits and recommended that the decision of the Commissioner be reversed and that the case be remanded pursuant to 42 U.S.C. §405(g), sentence four, for further consideration consistent with the Report and Recommendation.

The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen days of the Report and Recommendation would result in a waiver of the right to have the district judge review the Report and Recommendation *de novo* and a waiver of the right to appeal the decision of the district court adopting the Report and Recommendation. (*Id.* at 1317-18.) The time period for filing

objections to the Report and Recommendation has expired, and no party has objected to the Report and Recommendation.

The Court agrees with the Report and Recommendation of Magistrate Judge Deavers (ECF No. 14), and it is hereby adopted. The decision of the Commissioner is reversed, and this case is remanded to the Commissioner under 42 U.S.C. §405(g), sentence four, for further consideration consistent with the Report and Recommendation. The Clerk shall enter judgment reversing the decision of the Commissioner and remanding this case.

IT IS SO ORDERED.

s/James L. Graham
James L. Graham
United States District Judge

Date: June 1, 2022